

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

MIAMI VALLEY HOSPITAL,

Plaintiff,

Case No. 3:20-cv-320

vs.

JEFFREY A. JONES, *et al.*,

District Judge Michael J. Newman

Defendants.

**ORDER (1) REQUIRING THE PARTIES' COUNSEL TO ENGAGE IN INFORMAL
DISCOVERY DISPUTE RESOLUTION AND (2) REQUIRING COUNSEL TO FILE A
STATUS REPORT REGARDING THE OUTCOME OF THEIR INFORMAL
DISCUSSIONS BY APRIL 14, 2021**

This Employee Retirement Income Security Act ("ERISA") case is before the Court on Plaintiff's motion to compel. Doc. No. 20. Plaintiff argues that the administrative record filed by Defendant Ahresty Wilmington Corporation was incomplete. *Id.* at PageID 132. The parties, however, have not yet engaged in a good-faith, informal discussion on how to resolve the discovery dispute before Plaintiff requested the Court's intervention.

Local Civil Rule 37.1 provides that requests related to discovery "shall not be filed in this Court . . . unless the parties have first exhausted among themselves all extrajudicial means for resolving their differences." S.D. Ohio Civ. R. 37.1. Exhausting "all extrajudicial means . . . require[s] both telephonic and written communication between the parties." Hon. Michael J. Newman, [Standing Order Governing Civil Cases](#) (Jan. 25, 2021). To that end, the Court **ORDERS** the parties' counsel to meet and confer to explore whether the discovery issue can be resolved by mutual agreement and without judicial involvement. Counsel **SHALL FILE** a brief status report

by **APRIL 14, 2021** limited to informing the Court whether they have resolved the discovery dispute or whether they request an informal conference with the Court.

IT IS SO ORDERED.

Date: April 7, 2021

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge